



UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1

DENISE CARLON, ESQUIRE

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MIDFIRST BANK

Order Filed on June 24, 2022
by Clerk
U.S. Bankruptcy Court
District of New Jersey

In Re:

Brian Charles Allen,

Debtor.

Case No.: 22-10913 ABA
Adv. No.:
Hearing Date: 5/25/2022 @ 9:00 a.m.
Judge: Andrew B. Altenburg, Jr.

**ORDER RESOLVING SECURED CREDITOR'S OBJECTION TO DEBTOR'S
CHAPTER 13 PLAN**

The relief set forth on the following pages, numbered two (2) through two (2) is hereby
ORDERED

DATED: June 24, 2022


Honorable Andrew B. Altenburg, Jr.
United States Bankruptcy Court

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Debtor:

Brian Charles Allen

Case No.:

22-10913 ABA

Caption:

**ORDER RESOLVING SECURED CREDITOR'S OBJECTION TO
DEBTOR'S CHAPTER 13 PLAN**

This matter having been brought before the Court by KML Law Group, P.C., attorneys for Secured Creditor, MIDFIRST BANK, holder of a mortgage on real property located at 39 Jobs Lane, Williamstown NJ 08094, Denise Carlon appearing, by way of objection to the confirmation of Debtor's Chapter 13 Plan, and this Court having considered the representations of attorneys for Secured Creditor and Andrew B. Finberg, Esquire, attorney for Debtor, Brian Charles Allen, and for good cause having been shown;

It **ORDERED, ADJUDGED and DECREED** that Debtor shall obtain a loan modification by June 13, 2022, or as may be extended by an application to extend the loss mitigation period; and

It **ORDERED, ADJUDGED and DECREED** that the Secured Creditor retains the right to object to a request for an extension of loss mitigation period; and

It is **FURTHER ORDERED, ADJUDGED and DECREED** that Debtor is to make regular post-petition payments in accordance with the terms of the loss mitigation order while the loss mitigation period is active; and

It is **FURTHER ORDERED, ADJUDGED and DECREED** that the Trustee shall not make disbursements on Secured Creditor's claim while the loan modification is pending; and

It is **FURTHER ORDERED, ADJUDGED and DECREED** that the Secured Creditor does not waive its rights to the pre-petition arrears or the difference between the regular post-petition payment and the loss mitigation payment, or any other post-petition arrears that may accrue; and

It is **FURTHER ORDERED, ADJUDGED and DECREED** that if the loan modification is not successful, Debtor shall modify the plan to otherwise address Secured Creditor's claim, including but not limited to sale, refinance, cure and maintain, and surrender; and

It is **FURTHER ORDERED, ADJUDGED and DECREED** that Secured Creditor's objection to confirmation is hereby resolved.

In re:
Brian Charles Allen
Debtor

Case No. 22-10913-ABA
Chapter 13

District/off: 0312-1
Date Rcvd: Jun 24, 2022

User: admin
Form ID: pdf903

Page 1 of 2
Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol **Definition**

- + Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jun 26, 2022:

Recip ID	Recipient Name and Address
db	+ Brian Charles Allen, 39 Jobs Lane, Williamstown, NJ 08094-1313

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jun 26, 2022

Signature: /s/Gustava Winters

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on June 24, 2022 at the address(es) listed below:

Name	Email Address
Andrew B. Finberg	on behalf of Debtor Brian Charles Allen andy@sjbankruptcylaw.com abfecf@gmail.com;finbergar39848@notify.bestcase.com
Denise E. Carlon	on behalf of Creditor MIDFIRST BANK dcarlon@kmllawgroup.com bkgroup@kmllawgroup.com
Isabel C. Balboa	on behalf of Trustee Isabel C. Balboa ecfmail@standingtrustee.com summarymail@standingtrustee.com
Isabel C. Balboa	ecfmail@standingtrustee.com summarymail@standingtrustee.com
Joni L. Gray	on behalf of Debtor Brian Charles Allen joni@sjbankruptcylaw.com jgrayecf@gmail.com;grayjr39848@notify.bestcase.com
U.S. Trustee	USTPRegion03.NE.ECF@usdoj.gov

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Date Rcvd: Jun 24, 2022

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Total Noticed: 1

TOTAL: 6